

REMARKS

In the present response, claims 3-8 are pending, claims 1-2 having been cancelled without prejudice as drawn to non-elected subject matter. Claim 3 has been amended and claims 4-8 have been added to define Applicants' invention with greater particularity. The present amendments find support in the application and originally filed claims and raise no issue of new matter. For example, support for the amendment of claim 3 is found in paragraph 0060.

New claim 8 is directed to a method of using the composition of matter of claim 3. In the event that the Examiner elects to withdraw this claim from consideration as drawn to statutorily distinct subject matter, Applicants hereby request rejoinder of this claim, should claim 3 be allowed.

Reconsideration is respectfully requested in view of the amendments and arguments herein.

Rejections under 35 U.S.C. § 102(b)

The rejection of claim 3 under 35 U.S.C. § 102(b) as allegedly anticipated by Tok et al. (J American Academy of Dermatology 38:453-60, 1998) is respectfully traversed.

Claim 3, as presently amended, is directed to a TTGE migration marker comprising a DNA molecule having a predetermined melting profile and a buffer suitable for loading on a TTGE gel. In contrast, Tok discloses a TCR gene amplification product to which a loading dye has been added but makes no predetermination of the amplification product's melting profile. No such determination is made by Tok because Tok does not contemplate use of the amplification product for TTGE analysis. Thus, Tok does not anticipate the present claims. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

In view of the foregoing remarks, Applicant respectfully submits that the pending claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should any

matters remain outstanding, the Examiner is encouraged to contact the undersigned at the telephone number listed below so that they may be resolved without the need for a written action.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

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